

REMARKS

Upon entry of this amendment, claims 1-16 will be pending. The Examiner has rejected claims 1-7 and 10-13 under 35 USC 102(e) as being anticipated by Herlinger.

The amended claim 1 recites *inter alia* "...a locking member....movable about a first axis...a blocking member movable about a second axis perpendicular to the first axis." The Herlinger patent discloses an electrical connector having a cantilevered member (28) and a hood (30), said element being pivotable about a common axis. However, the Herlinger reference does not disclose nor does it suggest a housing having a locking member and a blocking member, each movable about axes which are perpendicular relative to each other. Accordingly, Herlinger does not anticipate the present invention as recited in amended claim 1.

The newly presented independent claim 15 recites *inter alia* "...the blocking member comprising a slot suitable for cooperating in the blocking position by snap-fastening with a tab secured to the body and independent from the locking member...." In the Herlinger patent, the hood (30) cooperates only with the cantilevered member (28) and not with a body receiving a contact element. Thus, Herlinger cannot anticipate the present invention as recited in new independent claim 15.

The new independent claim 16 recites *inter alia* "A coaxial connector element....comprising: a coaxial contact element...." The Herlinger reference discloses an electrical connector; however, Herlinger is silent about the type of contact elements that are received in the connector. The Herlinger patent does not disclose nor does it

suggest a connector having a coaxial contact element. Thus, Herlinger cannot anticipate the present invention as recited in claim 16.

The examiner has rejected claim 9 under 35 U.S.C. 103(a) as being unpatentable over Herlinger et al., contending that "it would have been obvious...to rearrange the blocking member to pivot parallel to the longitudinal axis since it has been held that rearranging parts of an invention involves only routine skill in the art." (citing *In re Japikse*, 86 USPQ 70). Applicant respectfully disagrees with the examiner's conclusion regarding claim 9, whether considering the claim as originally filed or depending from claim 1 as amended herein.

The mere fact that the prior art may be modified in a manner as suggested by the examiner, does not make the modification obvious. "The prior art must provide a motivation or reason for the worker in the art, without the benefit of [applicant's] specification, to make the necessary changes in the reference." *Ex Parte Chicago Rawhide Mfg. Co.*, 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984).

There is no suggestion in Herlinger et al, either explicit or implicit, to include a blocking member such as that disclosed in applicant's specification which is capable of pivoting about an axis parallel to the longitudinal axis of a locking member.

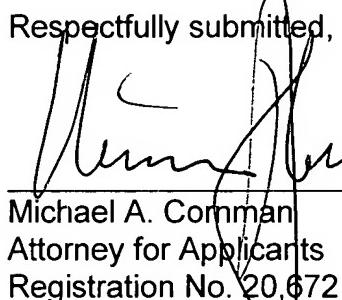
Herlinger et al., teaches an electrical connector having a plug insertable into a receptacle housing. A tab projecting laterally outward from the receptacle housing is adapted to engage a cantilevered member of a trailing portion of the plug. When the plug and receptacle are in mating relation, a barrier wall projecting laterally outward from the receptacle housing surrounds the cantilevered member and tab. A hood,

disposed in opposing relation to the barrier wall, is adapted to operatively engage the barrier wall when in a closed position. There is no suggestion to modify the electrical connector of Herlinger et al. to include the blocking member taught by applicant. Indeed, to modify the Herlinger connector in such a manner would require modifying and/or rearranging the entirety of the elements of the referenced connector.

Because there is no evidence to support the conclusion that one would have any motivation to make the necessary changes in the Herlinger et al. device to render claim 9 unpatentable, applicant respectfully requests that the obviousness rejection be withdrawn.

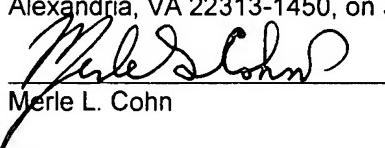
Please note that the inventor's first name is incorrectly spelled on the filing receipt due to a misspelling on the filing papers. The correct name of the inventor is Sebastien Annequin. Applicant requests that the inventor's name be corrected in the Patent Office records.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 21, 2004


Merle L. Cohn